



EMPLOYMENT TRIBUNALS

Claimant: Mr D Oshijo

Respondent: The Big Bus Company Limited

Heard at: London Central

On: 4 and 5 May 2021

Before: Employment Judge Wisby (Sitting Alone)

Representation

Claimant: In person

Respondent: Mr C McDevitt (Counsel)

JUDGMENT

1. The employment tribunal does not have jurisdiction to consider the claimant's complaints of discrimination because they were not presented within the period of 3 months stipulated by section 123(1)(a) Equality Act 2010 ("the Act"), nor within such other period as the employment tribunal thinks just and equitable under section 123(1)(b) of the Act.
2. During the period covered by his complaints the claimant was a worker but not an employee under the provisions of section 230 Employment Rights Act 1996.
3. The claimant did not wish to pursue a claim regarding furlough payments linked to worker status (as opposed to employee status) - complaints regarding furlough pay were therefore withdrawn by the claimant.
4. As a consequence of 1, 2 and 3 above the claim is dismissed.

Employment Judge - Wisby

Date : 06/05/2021

JUDGMENT SENT TO THE PARTIES ON

07/05/2021..

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.